

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GREGORY PEARCE, individually and on behalf of all others similarly situated,	:	
	:	
	:	
Plaintiff,	:	
	:	CIVIL ACTION
v.	:	
	:	No. 2:18-cv-00306-RK
MIZUHO BANK, LTD. and MARK	:	
KARPELES,	:	
	:	
Defendants.	:	
	:	

**ORDER**

AND NOW this \_\_\_\_ day of \_\_\_\_\_, 2018, upon consideration of the Unopposed Motion to Extend Time to Answer Complaint filed by Defendant Mizuho Bank, Ltd.

(“Mizuho”), it is hereby ORDERED that:

1. The Motion is GRANTED; and
2. Mizuho’s time to answer, move, or otherwise respond to the complaint in this action is continued until further order of this Court, provided that, if the Judicial Panel on Multidistrict Litigation (“JPML”) denies the pending motion of Plaintiff to consolidate and transfer this case, Mizuho shall answer, move, or otherwise respond to the Complaint within 45 days of the JPML’s order.

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J.

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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Plaintiff,	:	
	:	
v.	:	CIVIL ACTION
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MIZUHO BANK, LTD. and MARK	:	No. 2:18-cv-00306-RK
KARPELES,	:	
	:	
Defendants.	:	
	:	

**UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO RESPOND TO COMPLAINT**

Defendant Mizuho Bank, Ltd. (“Mizuho”), by and through undersigned counsel, hereby moves this Court for an order extending its time to respond to the Complaint and, in support of its Motion, avers as follows:

1. Plaintiff Gregory Pearce (“Pearce”) filed a complaint in this action on January 24, 2018 and named Mizuho, which is headquartered in Japan, as a defendant.
2. On March 8, 2018, Pearce filed a proof of service stating that the summons, complaint, civil cover sheet and case management track designation form were served on Mizuho’s Los Angeles branch on February 6, 2018, which set Mizuho’s deadline to answer or otherwise respond to the complaint to February 28, 2018.
3. Prior to March 8, 2018, no one with direct responsibility for handling the case on behalf of Mizuho was aware that Pearce had served the summons and complaint as stated in the proof of service.
4. On January 31, 2018, counsel for Pearce filed a motion before the United States Judicial Panel on Multidistrict Litigation (the “JPML”) to consolidate this case with two other

pending cases and transfer this case to the United States District Court for the Northern District of Illinois pursuant to 28 U.S.C. § 1407 (the “Transfer Motion”).

5. The Transfer Motion has been fully briefed and the JPML is scheduled to hear oral argument on it on March 29, 2018.

6. Mizuho, without waiving and expressly reserving and preserving all of Mizuho’s defenses, including lack of personal jurisdiction, has not contested and will not contest service of the Summons and Complaint in this matter.

7. Mizuho requests that its time to answer, move, or otherwise respond to the Complaint in this action be continued until further order of this Court, or, if the JPML denies the Transfer Motion, until 45 days after the JPML’s order.

8. The parties agree that continuing Mizuho’s deadline to answer or respond until after the JPML rules on the Transfer Motion will conserve the resources both of the Court and of the parties.

9. Mizuho has not previously sought an extension of time to respond to the Complaint and no other deadlines have been set in the case.

10. Counsel for Plaintiff has represented that Plaintiff does not oppose this Motion.

DATED: March 26, 2018

HANGLEY ARONCHICK SEGAL PUDLIN  
& SCHILLER

By: /s/ Daniel Segal  
Daniel Segal (Attorney I.D. No. 26218)  
Dylan J. Steinberg (Attorney I.D. No. 203222)  
One Logan Square, 27<sup>th</sup> Floor  
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*Attorneys for Defendant  
Mizuho Bank, Ltd.*

**CERTIFICATE OF SERVICE**

I, Daniel Segal, hereby certify that on this 26th day of March, 2018, I caused a true and correct copy of the foregoing Unopposed Motion for Extension of Time to Respond to Complaint to be served via ECF and first class mail on the following:

David S. Senoff  
Anapol Weiss  
130 N. 18<sup>th</sup> Street  
Suite 1600  
Philadelphia, PA 19103

/s/ Daniel Segal  
Daniel Segal